

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HILTON MINCY,	:	: CIVIL ACTION NO. 1:05-CV-0273
	:	
Petitioner	:	: (Judge Conner)
	:	
v.	:	
	:	
SUPERINTENDENT, STATE	:	
CORRECTIONAL INSTITUTION	:	
MAHANOEY, PENNSYLVANIA, et al.,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 25th day of August, 2006, upon consideration of petitioner's unopposed¹ motion (Doc. 13) pursuant to FED. R. APP. P. 4(a)(6) to reopen the appeal period applicable to this Court's memorandum and order denying the petition for writ of habeas corpus (Doc. 12), and it appearing that petitioner has satisfied the conditions² necessary to warrant reopening of the appeal period, see Doc. 14, it is hereby ORDERED that:

¹Because respondents have failed to file an opposition brief within fifteen days of the filing of the motion, the motion is deemed unopposed. See L.R. 7.6.

²The appeal time may be reopened for a period of fourteen days if the moving party satisfies the following conditions: (1) the moving party did not receive notice of the entry of the judgment or order to be appealed within twenty-one days; (2) the motion is filed within 180 days after the entry of judgment; and (3) the court finds that no party would be prejudiced. FED. R. APP. P. 4(a)(6)

1. The motion (Doc. 13) is GRANTED.
2. The appeal time is REOPENED for a period of fourteen days from the date of this order.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge